

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

NO. 5:21-CR-236-1BO(4)

UNITED STATES OF AMERICA

v.

MARYAM MOVSUM HASANOVA  
a/k/a "Maryan Hasanova"

APPLICATION FOR, AND FACTUAL  
ALLEGATIONS IN SUPPORT OF,  
JUDICIAL ORDER OF REMOVAL

Consistent with its agreement with defendant Maryam Movsum Hasanova, a/k/a "Maryan Hasanova", the United States hereby respectfully applies for a Judicial Order of Removal and alleges the following facts in support of its application and its Notice of Intent to Request Judicial Removal, providing documentary notice to the defendant and her attorney of record, Diana Pereira, of its application and these allegations of fact:

1. The defendant is not a citizen or national of the United States.
2. The defendant is a native of Azerbaijan and a citizen of Azerbaijan.
3. The defendant was admitted to the United States as a nonimmigrant exchange visitor at Boston, Massachusetts, on June 13, 2013.
4. The defendant became a conditional permanent resident in the United States on or about February 8, 2017.
5. At the time the defendant adjusted her status to a conditional permanent resident she was an alien who was inadmissible at the time of entry or adjustment of status, as an alien who by fraud or willfully misrepresented a material fact sought to procure or procured a visa, other documentation, or

admission into the United States. Specifically, the defendant knowingly and willfully combined, conspired, confederated, and agreed with other persons to knowingly enter into a marriage for the purpose of evading provisions of the immigration laws, namely Title 8, United States Code, Sections 1154 and 1186a, which restrict the availability of lawful permanent resident status, applied for on the basis of marriage to a United States citizen, to those aliens who have entered into the marriage in good faith, not in exchange for something of value, and not for the purpose of procuring the alien's admission as an immigrant. At the time the defendant submitted the I-485 she knowingly made material misrepresentations regarding her marital relationship. The defendant thereafter adjusted her status to that of a conditional permanent resident and failed to disclose the prior material misrepresentations on the visa application or subsequent applications.

7. At the time of sentencing in the instant criminal proceeding, the defendant will be convicted in the United States District Court for the Eastern District of North Carolina of Count Three in the Indictment, charging: charging Fraud and Misuse of Visas, Permits and Other Documents, in violation of Title 18 U.S.C. § 1546(a).

8. The maximum term of imprisonment for a violation of Title 18 U.S.C. § 1546(a) is 10 years.

9. The defendant is, and at sentencing will be, subject to removal from the United States pursuant to: (1) Section 237(a)(1)(A) of the Immigration and Nationality Act of 1952 ("INA"), as amended, 8 U.S.C. § 1227(a)(1)(A), as an alien

who, at the time of entry or adjustment of status, was within one or more classes of aliens inadmissible by the law existing at such time, to wit: Section 212(a)(6)(C)(i) of the INA, as amended, 8 U.S.C. § 1182(a)(6)(C)(i) as an alien who, by fraud or willfully misrepresenting a material fact, seeks to procure (or has procured) a visa, other documentation, or admission into the United States or other benefit provided under this Act, and (2) Section 237(a)(3)(B)(iii) of the INA, as amended, 8 U.S.C. § 1227(a)(3)(B)(iii), as an alien who at any time has been convicted of a violation of, or an attempt or conspiracy to violate section 1546 of Title 18.

WHEREFORE, pursuant to Section 238(c) of the INA, 8 U.S.C. § 1228(c), the United States of America requests that the Court, at the time of sentencing, order that the defendant be removed from the United States to Azerbaijan.

Respectfully submitted this <sup>7th</sup> 3rd day of December, 2021.

MICHAEL F. EASLEY, JR.  
United States Attorney

BY: /s/ Barbara D. Kocher *Barbara D. Kocher*  
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CERTIFICATE OF SERVICE

I certify that I have on this <sup>7<sup>th</sup></sup> 3<sup>rd</sup> day of December, 2021, served a copy of the foregoing upon the Defendant either to counsel electronically, or by e-mail addressed as follows:

Diana Pereira  
Attorney at Law

  
/s/ Barbara D. Kocher  
BARBARA D. KOCHER  
Assistant United States Attorney